

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
PETITION

FORM EXEMPT UNDER 44 U.S.C.

DO NOT WRITE IN THIS SPACE

Case No. 03-AC-129304 Date Filed 5/27/2014

INSTRUCTIONS: Submit an original of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

The Petitioner alleges that the following circumstances exist and requests that the NLRB proceed under its proper authority pursuant to Section 9 of the NLRA.

- 1 PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
- ☐ RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- ☐ RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- ☐ RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE) - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- ☐ UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES) - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
- ☐ UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit not previously certified, ☐ In unit previously certified in Case No. _____
- ☒ AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. 03-RC-110971
Attach statement describing the specific amendment sought.

2. Name of Employer Mid-Hudson Valley StaffCo, LLC		Employer Representative to contact Brian J. Clark, Esq.	Tel. No. 212-503-0544
3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code) 241 North Road, Poughkeepsie, New York 12601			Fax No. 212-307-5598
4a. Type of Establishment (Factory, mine, wholesaler, etc.) Professional Employer Organization	4b. Identify principal product or service Personnel Services		Cell No. e-Mail bjclark@venable.com
5. Unit involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.) Included See attached. Excluded			6a. Number of Employees in Unit: Present Proposed (By UC/AC) No change. 6b. Is this petition supported by 30% or more of the employees in the unit? <input type="checkbox"/> Yes <input type="checkbox"/> No *Not applicable in RM, UC, and AC

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

7a. <input type="checkbox"/> Request for recognition as Bargaining Representative was made on (Date) _____ and Employer declined recognition on or about (Date) _____ (If no reply received, so state).	
7b. <input type="checkbox"/> Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.	
8. Name of Recognized or Certified Bargaining Agent (If none, so state.) 1199 SEIU, United Health Care Workers East	
Address 310 West 43rd Street, New York, New York 10036	
Tel. No. 212-582-1890	Date of Recognition or Certification 9/30/2013
Cell No.	Fax No. e-Mail
9. Expiration Date of Current Contract, if any (Month, Day, Year) No current contract.	
10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day and Year)	
11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	11b. If so, approximately how many employees are participating?
11c. The Employer has been picketed by or on behalf of (Insert Name) <u>None</u> , a labor organization, of (Insert Address) _____ Since (Month, Day, Year) _____	

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state)

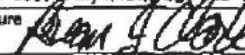
Name	Address	Tel. No.	Fax No.
None.		Cell No.	e-Mail

13. Full name of party filing petition (If labor organization, give full name, including local name and number)
Mid-Hudson Valley StaffCo, LLC

14a. Address (street and number, city, state, and ZIP code) 241 North Road, Poughkeepsie, New York 12601	14b. Tel. No. see above	14c. Fax No. 212-307-5598
	14d. Cell No.	14e. e-Mail bjclark@venable.com

15. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (to be filed in when petition is filed by a labor organization)
N/A

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print) Brian J. Clark	Signature 	Title (if any) Attorney
Address (street and number, city, state, and ZIP code) Venable LLP, 1270 Avenue of the Americas, 24th Floor, New York, New York 10020		Tel. No. 212-503-0544
		Fax No. 212-307-5598
		Cell No. e-Mail bjclark@venable.com

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

ATTACHMENT TO AMENDMENT OF CERTIFICATION

03-RC-110971

The bargaining unit involved in this amendment of certification includes employees in the following job titles:

All full-time, regular part-time, and per diem registered nurses employed by the Employer at its facilities at 241 North Road, Poughkeepsie, New York, 3 Charles Street, Pleasant Valley, New York, and 1335 Route 44 Pleasant Valley, New York, including all admissions nurses, managed care coordinators, occupational health nurses, advanced registered nurses, and medical office registered nurses.

Notwithstanding the above, specifically excluded from the bargaining unit involved in this amendment of certification are employees in the following job titles:

All nurse practitioners, family nurse practitioners, quality improvement specialists, clinical resources coordinators, case managers St. Francis Hospital Home Care-Certified registered nurses, guards, and all other professional employees and supervisors as defined in the National Labor Relations Act.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRD REGION**

Mid-Hudson Valley StaffCo. LLC

Petitioner/Employer

and

Case 03-AC-129304

1199 SEIU, United Healthcare Workers East

Union

DECISION AND AMENDMENT OF CERTIFICATION

Upon a petition duly filed under the National Labor Relations Act, as amended, an investigation has been conducted.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned Acting Regional Director. Upon the entire record in this proceeding I find:

The Petitioner/Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.

On September 30, 2013, 1199 SEIU United Healthcare Workers East was certified in Case 03-RC-110971 as the exclusive collective bargaining representative of the employees of St. Francis Hospital & Health Center in the following appropriate unit:

Included: All full-time, regular part-time, and per diem registered nurses employed by the Employer at its facilities at 241 North Road, Poughkeepsie, New York, 3 Charles Street, Pleasant Valley, New York, and 1335 Route 44, Pleasant Valley, New York, including all admissions nurses, managed care coordinators, occupational health nurses, advanced registered nurses, and medical office registered nurses.

Excluded: All nurse practitioners, family nurse practitioners, quality improvement specialists, clinical resources coordinators, case managers, SFH Home Care-Certified registered nurses, guards, and all other professional employees and supervisors as defined in the Act.

On May 27, 2014, the Petitioner filed a petition seeking to amend the certification in Case 03-RC-110971, by changing the name of the Employer from St. Francis Hospital & Health Center to Mid-Hudson Valley StaffCo. LLC.

On June 12, 2014, the Union, by its attorney, advised the Regional Office, in writing, that the Union had no objections to the petitioned for change.

Accordingly, the Certification of Representative issued on September 30, 2013, in Case 3-RC-110971 is hereby amended to substitute the name Mid-Hudson Valley StaffCo. LLC as the name of the Employer of the employees in the above appropriate unit.

Dated at Buffalo, New York this 12th day of June, 2014.

/s/Paul J. Murphy
PAUL J. MURPHY, Acting Regional Director
National Labor Relations Board – Region 3
130 S. Elmwood Ave. - Ste. 630
Buffalo, New York 14202-2465